

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

DONNA K. STALLWORTH	§	PLAINTIFF
	§	
v.	§	1:06CV82LG-RHW
	§	
ASHBRITT, INC., ET AL.	§	DEFENDANTS

ORDER GRANTING DEFENDANTS' MOTION TO DISMISS

On September 15, 2006, a hearing was conducted on the Motion to Dismiss filed by Todd and Linnie Eley, wherein the Court heard from the parties and considered additional evidence. After consideration of the pleadings on file, arguments of counsel and for the reasons stated more fully in the record, the Court finds that the Motion to Dismiss should be granted. Accordingly,

IT IS ORDERED AND ADJUDGED that the Motion to Dismiss filed by the Eleys on February 22, 2006, [10-1] should be, and is, hereby **GRANTED**. Todd and Linnie Eley are hereby dismissed as Defendants.

IT IS FURTHER ORDERED AND ADJUDGED that the Motion to Stay Defendants' Motion to Dismiss filed March 24, 2006, [16-1] should be and is hereby **DENIED AS MOOT**.

SO ORDERED AND ADJUDGED this the 17th day of September, 2006.

s/ Louis Guirola, Jr.

LOUIS GUIROLA, JR.
UNITED STATES DISTRICT JUDGE